

1983

c Pr44 Hungarian Canadian Cultural Centre (Hungarian House) Act, 1983

Ontario

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CHAPTER Pr44

**An Act respecting the Hungarian Canadian
Cultural Centre (Hungarian House)**

Assented to December 16th, 1983

Whereas the Hungarian Canadian Cultural Centre (Hungarian House) herein called the Centre, hereby represents that it was incorporated by letters patent dated the 14th day of December, 1945; that the Centre is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that the Centre has a freehold interest in lands and premises known municipally as 834-840 St. Clair Avenue West, in the City of Toronto; that the Centre hereby applies for special legislation to exempt the aforesaid real property, occupied and used by it in the City of Toronto, from taxation for municipal and school purposes except for local improvement rates; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Centre" means the Hungarian Canadian Cultural Centre (Hungarian House);
- (b) "Corporation" means The Corporation of the City of Toronto;
- (c) "council" means the council of the Corporation.

2.—(1) The council may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, of the Centre, being the lands and buildings known as 834-840 St. Clair Avenue West, as described in the Schedule, so long as the land is occupied and used solely for the purposes of the Centre.

Tax
exemptionR.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Idem

Idem

(3) Without restricting the generality of subsection (2), an exemption granted under subsection (1) shall not apply to any portion of the Centre capable of being used as a self-contained residential unit.

Agreement
to repay
where lands
sold

3.—(1) Without restricting the generality of section 2, the council may provide that a by-law passed under section 2 does not come into force unless the Centre enters into an agreement with the Corporation whereby, if the land exempted from taxes is sold, leased or otherwise disposed of, then the taxes foregone in the preceding period of ten years or in the period since the by-law was passed, whichever period is shorter, shall immediately become payable to the Corporation.

Transfer of
agreement

(2) An agreement entered into under subsection (1) may provide that, if the Centre sells, leases or otherwise disposes of the exempted land and acquires other land in the City of Toronto which it occupies and uses solely for its purposes, the Corporation may postpone the collection of the taxes foregone until such time as the substituted land is disposed of by sale, lease or otherwise.

Transfer of
exemption

(3) Where an agreement has been entered into under subsection (1) and the Centre sells, leases or otherwise disposes of the land and acquires other land in the City of Toronto which it occupies and uses solely for its purposes, the Corporation may by by-law transfer the tax exemption under section 2 to the substituted land.

Registration
of agreement

(4) An agreement made under subsection (1) may be registered against the title of the land affected thereby in the proper land registry office and, when so registered, the amounts payable under the agreement shall, until paid, be a lien or charge upon the land described therein and may be added by the clerk of the Corporation to the collector's roll and collected in the same manner as real property taxes.

Idem

(5) Where land is substituted for the land described in an agreement made under subsection (1), the Corporation may register the agreement against the title of the substituted land, notwithstanding that the substituted land is not described in the original agreement and, upon registration of an agreement under this subsection, the land described in an agreement registered under subsection (4) is discharged from the lien or charge described in that subsection and the amounts payable under the agreement shall, until paid, be a lien or charge upon the substituted land and may be added by the clerk of the Corporation to the collector's roll and collected in the same manner as real property taxes.

(6) Where the Corporation receives a payment under an agreement made under subsection (1), the Corporation shall retain for its own use its share of the taxes foregone, and shall reimburse The Municipality of Metropolitan Toronto, The Board of Education for the City of Toronto, The Metropolitan Toronto School Board and the Metropolitan Separate School Board for their share of the taxes foregone.

Reimbursement
of other taxing
authorities

(7) Notwithstanding that an agreement has been entered into under subsection (1), the council may at any time repeal a by-law passed under section 2 or under subsection (3) without affecting the validity of the agreement and the repeal of the by-law does not accelerate the time for the repayment under the agreement of any taxes foregone.

Repeal of
by-law

4. For the purposes of subsection 219 (8) of the *Municipality of Metropolitan Toronto Act*, the exemption from taxation granted under section 2 shall be deemed to be an exemption provided under section 3 of the *Assessment Act*.

Deemed
exemption
R.S.O. 1980,
cc. 314, 31

5. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

6. The short title of this Act is the *Hungarian Canadian Cultural Centre (Hungarian House) Act, 1983*.

Short title

SCHEDULE

That parcel of land situate in the City of Toronto, in The Municipality of Metropolitan Toronto and being composed of the whole of lots 33, 34 and 35 on the north side of St. Clair Avenue as shown on Plan M-427 filed in the land registry office for the Land Titles Division of Metropolitan Toronto (No. 66); all that part of Lot 32 on the said Plan lying to the west of the easterly 2 feet 6 inches of the said Lot 32; and all that part of Lot 36 on the said Plan lying to the east of the westerly 10 feet 3 3/4 inches of the said Lot 36.

Together with a right-of-way over and along the northerly 14 feet 10 inches of the easterly 2 feet 6 inches of Lot 32 and over and along the northerly 14 feet 10 inches of lots 31 and 30 on the said Plan, being appurtenant to all of Lot 33 and the easterly 9 feet 6 inches of Lot 34 and all that part of Lot 32 lying to the west of the easterly 2 feet 6 inches of the said Lot 32 all on the said Plan.

And together with a right-of-way for persons, animals and vehicles for all purposes over and along a strip of land described as follows:

Commencing at a point in the northerly limit of Lot 36, 10 feet 3 3/4 inches measured easterly along the said northerly limit from the northwest angle of Lot 36;

Thence southerly parallel with the westerly limit of Lot 36, 14 feet 10 inches;

Thence westerly parallel to St. Clair Avenue 39 feet and 3 3/4 inches;

Thence northerly parallel with the easterly limit of Lot 37 on the said Plan, 59 feet and 3 1/2 inches, more or less, to the southerly limit of Barrie Avenue;

Thence northeasterly along the southeasterly limit of Barrie Avenue and following the curve thereof to a line drawn parallel to the easterly limit of Lot 37 distant 9 feet westerly therefrom measured along the production westerly of the northerly limit of Lot 36;

Thence southerly along the said line 73 feet 7 1/2 inches more or less to the said production;

Thence easterly along the said production and the northerly limit of Lot 36, 19 feet 3 3/4 inches to the place of commencement being appurtenant to all that part of Lot 36 lying to the east of the west 10 feet 3 inches of the said Lot 36 and all of Lot 35 and all that part of Lot 34 lying to the west of the easterly 9 feet 6 inches of Lot 34 all on the said Plan.